

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLIFTON RYAN, IV,

Plaintiff,

Case No. 2:16-cv-14148

v.

HONORABLE STEPHEN J. MURPHY, III

COMMISSIONER OF SOCIAL SECURITY,

MAGISTRATE ANTHONY P. PATTI

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION [17],
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [13],
AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [15]**

The Commissioner of the Social Security Administration ("SSA") partially denied Clifton Ryan, IV's application for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge ("ALJ"). The SSA Appeals Council declined to review the ruling, and Ryan appealed. The Court referred the matter to the magistrate judge and the parties filed cross-motions for summary judgment. The magistrate judge issued a Report and Recommendation ("Report") suggesting the Court grant Ryan's motion and deny the Commissioner's motion.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is required only if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed timely objections, de novo review of the Report's conclusions is not required. Having examined the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound.

Accordingly, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation [17] is **ADOPTED**, Ryan's Motion for Summary Judgment [13] is

GRANTED, the Commissioner's Motion for Summary Judgment [15] is **DENIED**, and the case is **REMANDED** to the Commissioner for a reversal and modification to include ongoing benefits subject to periodic review.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: February 26, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 26, 2018, by electronic and/or ordinary mail.

s/David P. Parker
Case Manager